

104TH CONGRESS
2D SESSION

S. 94

[Report No. 104–354]

To amend the Congressional Budget Act of 1974 to prohibit the consideration of retroactive tax increases.

IN THE SENATE OF THE UNITED STATES

JANUARY 4, 1995

Mr. COVERDELL (for himself, Mrs. HUTCHISON, Mr. SMITH, Mr. LOTT, Mr. KEMPTHORNE, Mr. MCCAIN, Mr. WARNER, Mr. COCHRAN, and Mr. INHOFE) introduced the following bill; which was read twice and referred jointly pursuant to the order of August 4, 1977, to the Committees on the Budget and Governmental Affairs, with instructions that if one committee reports, the other committee have thirty days to report or be discharged

AUGUST 27, 1996

Reported under authority of the order of the Senate of August 2, 1996 by
Mr. STEVENS, with amendments

[Omit the part struck through and insert the part printed in *italic*]

A BILL

To amend the Congressional Budget Act of 1974 to prohibit
the consideration of retroactive tax increases.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. AMENDMENTS TO THE CONGRESSIONAL BUDG-**
 2 **ET ACT OF 1974.**

3 (a) IN GENERAL.—Title III of the Congressional
 4 Budget Act of 1974 is amended by adding at the end the
 5 following:

6 “PROHIBITION ON THE CONSIDERATION OF RETROACTIVE
 7 TAX INCREASES

8 “SEC. 314. (a) IN GENERAL.—It shall not be in order
 9 in the House of Representatives or the Senate to consider
 10 any bill, joint resolution, amendment, motion, or con-
 11 ference report, that increases a tax and applies such in-
 12 crease to taxable years beginning before the date of the
 13 enactment of the law before a date contemporaneous with
 14 congressional action specifying such date.

15 “(b) INCREASES A TAX.—The term ‘increases a tax’
 16 shall include a change in any rate of tax, deduction, ex-
 17 emption, credit, exclusion, or similar change to the Inter-
 18 nal Revenue Code of 1986 that will result in an obligation
 19 to pay a larger tax.”.

20 (b) SUPERMAJORITY POINT OF ORDER.—Subsections
 21 (c) and (d) of section 904 of the Congressional Budget
 22 Act of 1974 are amended by inserting “314,” after
 23 “313,”.

24 (c) TECHNICAL AND CONFORMING AMENDMENT.—The
 25 table of contents for the Congressional Budget and Im-

1 *Impoundment Control Act of 1974 is amended by inserting*
2 *after the item relating to section 313 the following:*

“Sec. 314. Prohibition on the consideration of retroactive tax increases.”.

3 *(d) EFFECTIVE DATE.—The amendments to the Con-*
4 *gressional Budget and Impoundment Control Act of 1974*
5 *made by subsections (a), (b), and (c) shall be effective on*
6 *January 1, 1997.*

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